

United States District Court

EASTERN DISTRICT OF WISCONSIN

EVERCORE TRUST CO. NA,
Plaintiff,

JUDGMENT IN A CIVIL CASE

v.

Case No. 14-C-160

THEDACARE, INC., and
THEDACARE INC. PENSION PLAN
RETIREMENT COMMITTEE,
Defendants.

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- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came before the Court for consideration.

IT IS HEREBY ORDERED AND ADJUDGED that the Plaintiff's claim for equitable relief pursuant to Section 502(a)(3) of ERISA (reformation) is granted. The eligibility requirements for the Grandfathered Benefit reflected in the amendments to the ThedaCare, Inc. Pension Plan (the "Plan") referenced in the Stipulation are to be calculated based on "Years of Benefit Service" instead of "Years of Vesting Service";

IT IS FURTHER ORDERED AND ADJUDGED that ThedaCare, in its capacity as sponsor of the Plan, is directed to equitably reform the Plan to correct and/or amend the Plan to reflect the clear intent of the amendments as set forth in the Stipulation.

Approved: s/ William C. Griesbach
William C. Griesbach, Chief Judge
United States District Court

Dated: September 15, 2014.

JON W. SANFILIPPO
Clerk of Court

s/ Cheryl A. Veazie
(By) Deputy Clerk